

Message Text

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64

ORIGIN L-03

INFO OCT-01 ARA-10 ISO-00 FSE-00 SIG-02 JUSE-00 SY-05

FBIE-00 A-01 ABF-01 TRSE-00 /023 R

DRAFTED BY L/M:CLBLAKESLEY:AD

APPROVED BY L/M:KEMALMBORG

BF/FS - M. SHAFSHUF

ARA/MGT/FM - G. KRIEGER (INFO)

S/IG - MR. SMIGH (INFO)

JUSTICE - B. RISTAU (SUBS)

----- 075225

R 172109Z JUN 75

FM SECSTATE WASHDC

TO AMEMBASSY MANAGUA

UNCLAS STATE 141771

E.O. 11652: N/A

TAGS: AFIN, NU

SUBJECT: EMBEZZLEMENT OF EMBASSY MANAGUA IMPREST FUNDS

REF: MANAGUA 2284

1. EMBASSY REQUESTED TO BE SURE THAT CRIMINAL PROCEEDINGS AGAINST ALLEGED EMBEZZLERS ARE ONGOING AND SERIOUS. EMBASSY OF COURSE SHOULD COOPERATE WITH LOCAL AUTHORITIES IN THEIR INVESTIGATION. DEPARTMENT AND JUSTICE DEPARTMENT NOT IN FAVOR OF HIRING ATTORNEY AT THIS TIME OR COMMENCING ANY SORT OF CIVIL LEGAL ACTION AS YET.

2. EMBASSY REQUESTED TO DETERMINE AND ADVISE SOONEST WHETHER IT IS POSSIBLE, UNDER NICARAGUAN LAW (AS IT IS IN MANY CIVIL LAW COUNTRIES) FOR A DAMAGED ENTITY (U.S. GOVERNMENT) TO INTERVENE IN THE CRIMINAL PROCEEDING IN ORDER TO RECOVER CIVIL DAMAGES. IN THIS DUAL CRIMINAL/CIVIL PROCEEDING THE PROSECUTOR PROVES THE CRIME (AND THUS THE FAULT
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FOR THE DAMAGES) AND THE CIVIL INTERVENOR ONLY HAS TO PROVE

DAMAGES. PLEASE ADVISE SOONEST WHETHER THIS IS POSSIBLE.

KISSINGER

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TAGS: AFIN, NU
To: MANAGUA
Type: TE
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